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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/018,851	
	Filing Date	December 17, 2001	
	First Named Inventor	Shoji Oiso	
	Art Unit	1772	
	Examiner Name	Hon, Sow Fun	
Total Number of Pages in This Submission	7	Attorney Docket Number	576P043

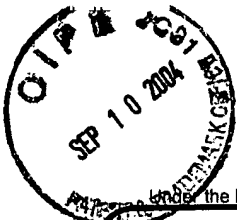
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	-Request For Reconsideration of Patent Term Adjustment
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	-Associate Power of Attorney
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert C. Frame Niels & Lemack
Signature	
Date	September 8, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Robert C. Frame		
Signature		Date	Sept. 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 200.00

Complete if Known

Application Number	10/018,851
Filing Date	December 17, 2001
First Named Inventor	Shoji Oiso
Examiner Name	Hon, Sow Fun
Art Unit	1772
Attorney Docket No.	576P043

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

14-0930

Nields & Lemack

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) Request For Patent Term Adjustment

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 200.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Robert C. Frame	Registration No. (Attorney/Agent)	54,104	Telephone	508-898-1818
Signature		Date	Sept. 8, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ADAC
ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shoji Oiso, et al.
Serial No. : 10/018,851
Filed : December 17, 2001
For : DYE TYPE POLARIZING PLATE
Examiner : Hon, Sow Fun
Art Unit : 1772
Attorney Docket No. : 576P043

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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P.O. Box 1450, Alexandria, VA 22313-1450

on September 8, 2004 (Date)

Robert C. Frame
Name of applicant, assignee, or Registered
Representative

[Signature]
Signature

September 8, 2004
Date

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Sir:

The applicant respectfully requests reconsideration of the patent term adjustment for the above-identified application. This patent is not subject to a terminal disclaimer.

The patent term adjustment indicated on the Notice of Allowance is 61 days, which the applicant agrees is correct. However, the patent term adjustment indicated on the Notice of Issuance is 0 days. The applicant believes that this term should be 61 days, as explained below. This request is filed pursuant to Rule §1.705(d).

On May 24, 2004, the Examiner telephoned the undersigned to discuss an Examiner's amendment to claims 1 and 2. On May 28, 2004, the undersigned agreed to the proposed amendment. As a result of this amendment, the application was allowed. A Notice of Allowance was mailed

by the Examiner on June 3, 2004, and was received by the undersigned on June 7, 2004. Included with this notice was the determination of patent term adjustment, an Examiner's Amendment and an Interview Summary. The patent term adjustment at that time was calculated to be 61 days, as stated above. The Examiner's Amendment states that the amendment was authorized during a telephonic interview on May 28, 2004. Finally, the interview summary, a copy of which is attached to this petition, was appended. The Interview Summary required that a substance of interview be filed.

The receipt of the Notice of Allowance and the accompanying Interview Summary was the first time that the undersigned was made aware of his requirement to submit a substance of interview statement. As stated in MPEP 710.04, "where an examiner initiated interview directly results in the allowance of the application, the examiner may ... indicate that the examiner will provide a written record of the substance of the interview with the Notice of Allowability". Although the Examiner did include a written record of the substance of the interview, the form required the undersigned to supplement this record with one from the applicant.

In the last paragraph of the interview summary, it clearly states "APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW".

In compliance with that requirement, the undersigned mailed a statement of the substance of interview on June 8, 2004. It is this document which is being used to create a

reduction of the period of patent term adjustment, pursuant to CFR 1.704(c)(10).

CFR 1.704(a) states that "the period of adjustment of the term of a patent...shall be reduced by a period equal to the period of time during which the applicant failed to engage in reasonable efforts to conclude prosecution of the application". CFR 1.704(b) and CFR 1.704(c) then enumerate the situations in which the applicant failed to engage in reasonable efforts.

Although the mailing of the statement of the substance of the interview did occur after the mailing of the Notice of Allowance, the undersigned did not fail to engage in reasonable efforts. As mentioned, the receipt of the Notice of Allowance marked the first time that the undersigned was made aware of the fact that an interview summary was required. Furthermore, once realizing that an interview summary was required, the undersigned generated and mailed this information on the following day!

In view of these events, the applicant respectfully requests reconsideration of the patent term adjustment in view of the afore-mentioned.

Respectfully submitted,



Robert C. Frame

Reg. No. 54,104

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